

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

JACQUELINE BRENNER, on behalf of herself and all others similarly situated,	:	Civil Action No. 13-cv-11212
Plaintiff,	:	Class Action Complaint
-against-	:	Jury Trial Demanded
J. C. PENNEY COMPANY, INC.,	:	
Defendant.	:	
	:	

---

**MOTION FOR CLASS CERTIFICATION  
AND FINAL APPROVAL OF PROPOSED SETTLEMENT**

Plaintiff, Jacqueline Brenner, on behalf of the proposed Class and through her attorneys, Meiselman, Packman, Nealon, Scialabba & Baker P.C., hereby moves for an order certifying the Class, granting final approval of the proposed Settlement, and dismissing the Action pending before this Court. Defendant consents to this motion.

The grounds for this motion are set forth in the accompanying memorandum of law.

Dated: White Plains, New York  
September 24, 2013

Respectfully submitted,

**MEISELMAN, PACKMAN, NEALON,  
SCIALLABA & BAKER P.C.**

By: /s/ D. Greg Blankinship  
D. Greg Blankinship (BBO 655430)  
1311 Mamaroneck Avenue  
White Plains, New York 10605  
Tel: (914) 517-5000  
[gblankinship@mpnsb.com](mailto:gblankinship@mpnsb.com)

**LOCAL RULE 7.1(a)(2) CERTIFICATE**

I hereby certify that counsel for Plaintiff has conferred with Defendant's counsel in a good faith attempt to resolve or narrow the issues concerning this motion before its filing.

/s/ D. Greg Blankinship

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent via U.S. first class mail to those indicated as non-registered participants.

/s/ D. Greg Blankinship